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UNITED NATIONS CONFERENCE ON
STRADDLING FISH STOCKS AND
HIGHLY MIGRATORY FISH STOCKS
New York, 27 March-12 April 1995

LETTER DATED 23 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE
OF THE RUSSIAN FEDERATION ADDRESSED TO THE CHAIRMAN OF THE
CONFERENCE

I have the honour to transmit to you a new draft resolution of the
Conference, proposed by the Russian Federation, relating to conservation of
straddling fish stocks in areas fully surrounded by the exclusive economic zone.

I should be grateful if you would have this draft resolution circulated as
a document of the Conference.

(Signed) S. LAVROV
Ambassador
Permanent Representative



Annex

DRAFT RESOLUTION OF THE UNITED NATIONS CONFERENCE ON STRADDLING
FISH STOCKS AND HIGHLY MIGRATORY FISH STOCKS RELATING TO FISHING
IN AREAS FULLY SURROUNDED BY THE EXCLUSIVE ECONOMIC ZONES OF ONE
OR MORE STATES

The United Nations Conference on Straddling Fish Stocks and Highly
Migratory Fish Stocks,

Bearing in mind the importance of the long-term conservation of straddling fish stocks and highly migratory fish stocks in areas of the high seas, adjacent to the exclusive economic zone,

Considering that the entry into force on 16 November 1994 of the United Nations Convention on the Law of the Sea creates a need for the broader application of measures for the conservation and management of these stocks,

Recognizing at the same time the need to make additional efforts in order to raise the level of cooperation among States aimed at achieving sustainable fishing and preventing excessive exploitation of these stocks,

Noting the serious concern expressed by the delegations of many States over the abuses in respect of fishing for the above-mentioned stocks, which have assumed considerable proportions in many areas of the oceans and seas,

Realizing that this concern becomes especially acute in view of the fact that unregulated fishing is taking place with increased intensity in relatively small areas which are fully surrounded by the exclusive economic zone and which form enclaves,

Considering that such fishing may cause serious or irreparable harm to straddling fish stocks, to the ecosystem of these areas and the coastal State or States, as the case may be, and present a real threat to the subsistence of the coastal communities,

Guided by resolution 47/192 of the United Nations General Assembly, of 22 December 1992, pursuant to which this Conference should identify and assess existing problems related to the conservation and management of straddling fish stocks and highly migratory fish stocks,

1. Calls upon States fishing in the small enclave area of the Sea of Okhotsk and in other areas of the oceans and seas to abide by the precautionary principle, taking into account the interests of the coastal State, making their fishing there subject to international management and regulatory measures to ensure environmentally sound utilization of fish stocks, and refraining from fishing contrary to, or in the absence of, such international measures;

2. Considers it important that the States concerned should make the necessary efforts for effective cooperation to establish as expeditiously as possible mutually acceptable arrangements for the conservation of straddling

fish stocks in the enclave of the Sea of Okhotsk and in other areas of the oceans and seas;

3. Reaffirms the right of the coastal State, in situations where there is a danger of the destruction of fish stocks, to take, on the basis of the precautionary principle and of international law, prior to agreement on such arrangements, interim protection measures designed to afford due and necessary protection to the relevant fish stocks, bearing in mind that such measures should not be discriminatory, either in form or in substance, and should apply equally to nationals of the coastal States and nationals of States fishing in the enclaves, and that the lack of full scientific certainty may not constitute a reason for the postponement of such measures.
